

REMARKS/ARGUMENTS

Upon entry of this reply, claims 1-20 will remain pending.

Reconsideration and allowance of the application are respectfully requested.

Request For Complete Action On Merits

The Office Action does not address the Supplemental Preliminary Amendment filed January 5, 2007. In this Supplemental Preliminary Amended, claims 1-9 were amended, and claims 10-20 were added. Therefore, Applicants request a complete action on the merits of each of the pending claims. In this regard, while the application should be in condition for allowance following entry and consideration of the present reply, Applicants submit that the next Office Action should not be made final, if the next Office Action from the Patent and Trademark Office is not an allowance of the application.

Information Disclosure Statement

Applicants express appreciation for the inclusion with the Office Action of an initialed copy of the Form PTO-1449 submitted with Applicants' Information Disclosure Statement filed on January 5, 2007 so that the Examiner's consideration of the Information Disclosure Statement is of record.

Claim Of Priority

Applicants express appreciation for the acknowledgment of the claim of foreign priority and receipt of the certified copy of the priority application in this national stage application.

Response To Claim Objection

In response to the objection of claims 2-7 and 9 as depending upon rejected claims, Applicants submit that, for at least the reasons set forth below, claim 1 and 8 are allowable. According each of the pending claims should be indicated to be allowable, and the objection should be withdrawn.

Response To Rejection Under 35 U.S.C. 112, Second Paragraph

Claims 1 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

The rejection contends that:

The claim language and specification does not clearly distinguish the meaning of glyceride and/or factice with the meaning of rape seed oil. As glycerides and/or factices containing in rape seed oil. What exactly is rape seed oil? The questions are not clearly answered.

In response to the ground of rejection, Applicants notes that the claims and specification are readily understandable to one having ordinary skill in the art so that the scope and content of Applicants' claimed subject matter is definite.

The Examiner's attention is directed, for example, to Applicants' specification at page 6, beginning at line 6, wherein it is disclosed that:

The rubber compound according to the invention further contains at least one glyceride (ester of glycerol) and/or a factice. These substances act as softeners and can completely or partially replace conventional softeners in the compound. Natural triglycerides of vegetable or animal origin that are environmentally safe can be used as glycerides. Factices are reaction products or cross-linked products of unsaturated animal, vegetable or synthetic oils (e.g., rape-seed oil or castor oil) with sulfur, hydrogen sulfide, disulfur chloride, silicon tetrachloride or diisocyanate. For further details, see by way of example J. Schnetger, Lexikon der Kautschuk-Technik, Hüthig Buch Verlag, 2nd Edition, Heidelberg, 1991.

Thus, as disclosed in Applicants' originally filed applicant factices can be reaction products or cross-linked products of unsaturated animal, vegetable or synthetic oils (e.g., rape-seed oil, or castor oil) with sulfur, hydrogen sulfide, disulfur chloride, silicon tetrachloride or diisocyanate.

Furthermore, at page 6, beginning at line 15, Applicants' originally filed specification discloses that the glyceride can be rape-seed oil.

The rejection questions, "What exactly is rape-seed oil?". In response, Applicants submit that the terminology "rape-seed oil" is well known to those having ordinary skill in the art, and a search of the World Wide Web reveals that the terminology is well known. Accordingly, Applicants are not clear as to why the rejection is questioning the meaning of rape-seed oil. Therefore, if the Examiner has any specific questions relating to rape-seed oil, the Examiner is requested to contact the undersigned.

Applicants are submitting herewith a copy of the document cited in the above-noted portion of the specification (page 6, lines 13-14), J. Schnetger, Lexikon der Kautschuk-Technik, Hüthig Buch Verlag, 2nd Edition, Heidelberg, 1991, pages 36-40, 155, 156, 601 and 602. Moreover, Applicants are submitting herewith a copy of "Rompp Online Lexikon, Version 3.0, 5 pages. Applicants note that these documents are in German. If the Examiner desires an English translation of any of these documents, the Examiner is requested to contact the undersigned.

Applicants are submitting a Form PTO-1449 listing these documents. Authorization is hereby provided to charge any fee necessary for the Examiner's consideration of these documents to Deposit Account No. 19-0089.

Thus, Applicants' submit that one having ordinary skill in the art would readily understand the scope and content of claims 1 and 8, and the rejection should be withdrawn.

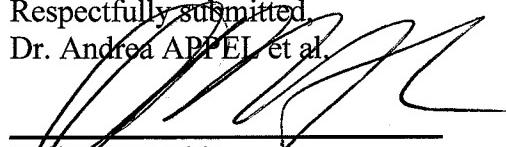
CONCLUSION

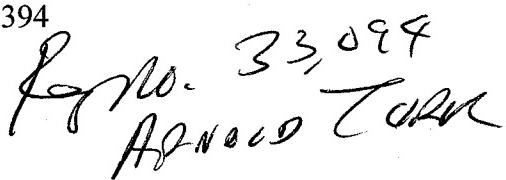
In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of record, and allow each of the pending claims.

Applicants therefore respectfully request that an early indication of allowance of the application be indicated by the mailing of the Notices of Allowance and Allowability.

Should the Examiner have any questions regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Dr. Andrea APPEL et al.


Neil F. Greenblum
Reg. No. 28,394


Reg. No. 33,094
Andrea Torn

January 4, 2008
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191